

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BRIANA ATKINSON,

Plaintiff,

v.

GARTH TRAIL, et al.,

Defendants.

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ORDER

No. 20-CV-06101 (PMH)

PHILIP M. HALPERN, United States District Judge:

Counsel for plaintiff and defendant Dada appeared for a final pretrial conference at 2:30 p.m. today in Courtroom 520. Defendant Trail did not appear.

The Court admitted plaintiff's Exhibits 1 – 3, as set forth in the pretrial order, for all purposes at trial. Plaintiff is directed to deliver to the Court by Friday April 8, 2022 three exhibit binders with the exhibits clearly marked, with and index in the front. To the extent the investigation file regarding defendant Dada is produced, plaintiff shall include copies of that file in separate binders. Counsel shall meet and confer and endeavor to resolve any objections to the Dada file prior to the start of trial.

The Court informed the parties as to jury selection and trial procedures with regard to the April 11, 2022 jury selection and trial. The Court provided the parties with copies of the Voir Dire Questionnaire and Summary of the Case, and directed the parties to advise by joint letter by 5:00 p.m. on Thursday April 7, 2022 of any objections, proposed additions, or revisions to the proposed Voir Dire Questionnaire and Summary of the Case. Also by 5:00 p.m. on Thursday April 7, 2022, the parties shall re-submit the proposed jury charges with numbers assigned to each proposed charge, and include a proposed charge in the event the Court were to grant judgment as a matter of law with respect to the defendant Trail. The parties shall file a letter in

advance of any application for judgment as a matter of law that includes relevant case law for the Court's consideration by Friday April 8, 2022 at 5:00 p.m.

The Court denied plaintiff's motion *in limine* (Doc. 46). The Court reserved ruling on defendant Dada's oral motion to introduce evidence of certain of plaintiff's convictions under Fed. R. Evid. 609. The Court reserved ruling on that motion.

All parties shall appear in Courtroom 520 at 9:00 a.m. on Monday April 11, 2022.

The parties must advise the Court by 5:00 p.m. on April 7, 2022 of any settlement, as the Court will assess the parties of counsel with costs if the matter is settled after the jury has been empaneled. (See Transcript).

The Clerk of the Court is respectfully requested to terminate the pending motion (Doc. 46) and mail a copy of this Order to defendant Trail.

SO ORDERED.

Dated: White Plains, New York
April 5, 2022



Philip M. Halpern
United States District Judge